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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FILED

OCT 24 2014

**U.S. DISTRICT COURT
INDIANAPOLIS, INDIANA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	
RICK LEON,)	NO. 1:11-cr-191-SEB-DKL-09
)	1:14-cr-202-SEB-DKL-1
)	
ROBERT CHRISTOPHER GUILLEN,)	NO. 1:11-cr-191-SEB-DKL-06
)	
DON PRINTUP,)	NO. 1:11-cr-191-SEB-DKL-04
)	
JOHN REX POWELL,)	NO. 1:11-cr-191-SEB-DKL-03
)	1:14-cr-201-SEB-DKL-1
)	1:12-cr-23-SEB-DKL-1
Defendants.)	

Factual Basis for Guilty Plea

The United States of America, by counsel, Josh J. Minker, Acting United States Attorney for the Southern District of Indiana, and Steven D. DeBrotta, Senior Litigation Counsel, and the Defendants list above, by and through their unsigned counsel, hereby submit this factual basis to support the guilty pleas in the cases listed above. Defendants Leon, Guillen, Printup and Powell are charged together in 1:11-cr-191-SEB-DKL. Defendant Powell is charged in 1:14-cr-201-SEB-DKL-1, which is related to Defendant Leon's case in 1:14-cr-202-SEB-DKL-1. Both cases were transferred from the District of New Jersey under Rule 20 of the Federal Rules of Criminal Procedure. Finally, Defendant Powell is also charged in 1:12-cr-23-SEB-DKL-1, which is unrelated to the

other cases, but consolidated for disposition under terms of his Plea Agreement.

The parties stipulate and agree that the United States could prove the facts provided below to a jury beyond a reasonable doubt if the case went to trial. The parties reserve the right to present additional evidence at the time of sentencing if they so choose. This pleading is not intended to foreclose the presentation of such evidence.

The Investigation and Criminal Conduct

Beginning in or about 2000, and continuing until on or about the dates of their arrest, Defendants Robert Guillen, Don Printup, Rick Leon and John Rex Powell, along with co-conspirators, and others known and unknown, were involved in the operation of Internet Relay Chat (IRC) channels they used to notice and advertise, distribute, receive and facilitate the possession of child pornography, as part of an enterprise. The IRC channels were also used as a forum to discuss and promote the sexual exploitation of minors and the trafficking of child pornography. A person could join these IRC channels only through an invitation sponsored by another group member. The IRC channels were given innocuous sounding names which did not accurately reflect the true subject matter or content of the communications occurring within these channels. They used these IRC channels to communicate in real time with other persons in Indianapolis and Anderson, in the Southern

District of Indiana, and others throughout the United States, and worldwide. A person participating in these channels will be referred to as a "group member".

The group members would use nicknames when communicating with each other. In many instances, they would use the same nickname, or a similar nickname, for long periods of time. This allowed group members to recognize each other through these nicknames or ones similar to the nicknames listed above. It also allowed them to maintain contacts with each other through IRC.

A. Group Members

Donn Michael Casper ("Casper") a/k/a "WoodieAM" a/k/a "AMWoodie" was a resident of Meridian, Idaho. He was convicted and sentenced in the District of Idaho in a child pornography production case.

John Doe N a/k/a "Teflon" a/k/a "Tef-On" was a resident of Warrington, Pennsylvania. He committed suicide in custody after confessing his guilty to investigators.

John Doe C a/k/a "Chasefox" a/k/a "Foxy-C" was a resident of Coleman, Alabama. He is currently serving a lengthy state prison for child molestation.

Rick Edwards a/k/a "dacorr" was a resident of Indianapolis, Indiana. He pled guilty and was sentenced to 210 months of imprisonment in *United States v Edwards et al.*, 1:11-cr-191-SEB-DKL-

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Stephen Harvey Dault ("Dault") a/k/a "Jordy13" was a resident of Texas. He pled guilty and was sentenced to 204 months of imprisonment in *United States v Edwards et al.*, 1:11-cr-191-SEB-DKL-08.

Michael Fredette a/k/a "WOrf" was a resident of Waterford, New York. He pled guilty and was sentenced to 327 months of imprisonment in *United States v. Edwards et. al.*, 1:11-cr-191-SEB-DKL-05.

Thomas Vaughn ("Vaughn") a/k/a "TazBlunt" was a resident of Anderson, Indiana, who has pled guilty and is awaiting sentencing. *United States v. Edwards et. al.*, 1:11-cr-191-SEB-DKL-02.

David Bebetu ("Bebet") a/k/a "Ajax_WaX" was a resident of Agoura Hills, California, who has pled guilty and is awaiting sentencing. *United States v. Edwards et. al.*, 1:11-cr-191-SEB-DKL-07.

Robert Guillen ("Guillen") a/k/a "Pink_Freud" was a resident of Wesley Chapel, Florida, who has signed a plea agreement and is before the Court today.

John Rex Powell ("Powell") a/k/a "thebeav" was a resident of Fort Myers, Florida, who has signed a Plea Agreement and is before the Court today.

Donald Printup ("Printup") a/k/a "Waterb0y" was a resident of Niagara Falls, New York, who has signed a plea agreement and is before the Court today.

Rick Ricardo Leon ("Leon") a/k/a "^JonJon^" was a resident of Arlington, Virginia, who has signed a plea agreement and is before the Court today.

John Gries a/k/a "Boytron" was a resident of Bayshore, New York. He is awaiting trial in this Court; scheduled to begin on October 27, 2014.

James McCullars ("McCullars") a.k.a. "^dj" was a resident of Huntsville, Alabama. He is awaiting trial in this Court; scheduled to begin on October 27, 2014.

B. Group Activities

To participate in these IRC channels, the group members were required to enter a secret password each time they logged into the channels. They also needed to know the name and location of these channels within the IRC networks, which were periodically changed for security purposes and to avoid detection by law enforcement. The need to do so was a frequent topic of conversation in the channel.

The group members would communicate with each other through IRC, instant messaging, social networking websites, and file transfers. They would sometimes discuss their personal lives, provide personal identifying information, or send pictures of themselves to other group members.

The defendants, group members, and others known and unknown to the Grand Jury, used these IRC channels to discuss the following topics, among others ("group topics"):

- a. The trafficking of child pornography by group members and other persons;
- b. The sexual exploitation of minors by Dault, McCullars, John Doe N, Casper, John Doe C, other group members, and other persons;
- c. The sexual molestation of minors by Dault, McCullars, John Doe N, Casper, John Doe C, other group members, and other persons as well as unlawful sexual contacts by these persons with minors;
- d. Their mutual sexual interest in minors and desire to view child pornography;
- e. Their desire to collect child pornography and increase the size and range of their collections of such material;
- f. Their desire to distribute and receive child pornography through IRC using DCC file transfers;
- g. Their desire to distribute and receive child pornography utilizing FTP servers;
- h. Their need to maintain the security, secrecy, and administrative functions of the IRC channels, DCC file transfers and FTP servers;

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- i. The need for each member to obtain and use data encryption software to protect their data files from potential examination by law enforcement authorities; and
- j. The importance of avoiding law enforcement discovery of the IRC channels, DCC file transfers, FTP servers, and the criminal activity occurring between group members and these channels.

C. Child Pornography Trafficking

Beginning no later than in or about 2000, and continuing until on or about the date of their arrests, the indicted defendants, group members, and others, distributed, received, possessed and accessed with intent to view, child pornography to and from other group members.

The defendants in Court today, along with defendants Gries, McCullars, Edwards, and other group members, possessed and maintained large collections of child pornography for potential distribution to other members of the group and receipt by those persons. They made available and redistributed to group members the child pornography provided to them by other group members. By these means, new child pornography spread between group members. In some cases, members of the group produced new child pornography and spread it throughout the group.

The group members would share portions of their child pornography collections by sending DCC file transfers within the IRC client software to

other group members. They also periodically shared portions of their child pornography collections by installing, configuring and running FTP servers accessible by other group members.

As part of the conspiracy, McCullars, Leon, Edwards, and John Doe N. and other group members provided FTP usernames and passwords to allow group members to access their child pornography collections through FTP servers. These collections contained images and videos depicting hundreds of different minors, of various ages, engaging in sexually explicit conduct. For example, Leon provided group members, including Printup, Guillen and Powell, along with many others, with usernames, passwords, server locations, and other information to allow them to obtain such access. Through FTP, the group members were able to acquire and trade vast collections of child pornography with each other, while keeping their activities secrete from law enforcement scrutiny.

The activities of the criminal enterprise were documented in part through forensic analysis of the computers of several of the group's members. This resulted in the discovery of logs of the chats that took place in IRC, as well as logs of child pornography transfers. These logs, which were very extensive, provided the investigators with a window into the inner workings of the group.

Conduct of the Various Group Members Before the Court

A. Rick Leon

Investigation by the United States Postal Inspection Service (USPIS), which included the execution of multiple search warrants and the interviews of

group members Donn Casper, John Doe N., Rick Edwards and Thomas Vaughn, revealed the existence of a group member using the screen name "JonJon", later identified as Defendant Leon. Leon often discussed his sexual interest in minors in the IRC channels and continually advertised his file-sharing server, which he and the other group members referred to as the "Porn-O-Rama." Leon provided group members with user names and passwords to this server, which allowed him to distribute large amounts of child pornography to other members of the group.

Chat logs recovered through forensic analysis of these items of digital media show "^JonJon^"'s ongoing participation in this child exploitation enterprise and conspiracy to distribute child pornography between June 2010 and September 2011. For example, on August 7, 2011, "^JonJon^" engaged in the following chat using IRC:

Indicted Co-Conspirator: I am setting up a new computer,
I need to decide if I will stay with Bestcrypt or move to Truecrypt.
Please help me to decide!

"^JonJon^": Truecrypt.

"^JonJon^": I've been using TC for a few years now

"^JonJon^": encrypting C: also was very easy

"^JonJon^": my RAID 5 is whole disk encrypted

Furthermore, on May 11, 2011, "^JonJon^" engaged in a similar chat using the IRC channel:

Indicted Co-Conspirator: was actually hoping for a few 11 years
old playing dirty boy games at coaches house

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For example, on May 11, 2011, "JonJon" engaged in the following exchange with members of the group:

JonJon: do u have this vid: Titel_04(32) avi

Boytron: I do not

JonJon: found here: MOVIES -BOY ACTION\1970's PJK-ERA
VARIOUS NAMESWinage Vault

JonJon: a very nice hairless boy boy with lots of kissing

Additionally, Leon frequently traded images and videos depicting child pornography with other group members via DCC file transfers within the IRC client software. For example, on January 28, 2010, Leon accepted a DCC transfer from group member Gries, with the file name Came4-Hottie66.avi. This is a video depicting a nude, minor male, approximately 10 or 11 years old, engaging in simulated or actual masturbation. Furthermore, between May of 2002 and January of 2008, Leon received numerous videos and images depicting minors engaging in sexually explicit conduct. Often, these files were labeled with names that are sexually explicit and indicative of their content, including:
pthc(video_4(private_7yo).avi¹; Mom and 9yo boy.mpg; p101-mikael101
10 yo boy rides his dad's big cock. fucked hard.avi and (Pthc) Boy mom
6. Mpg.

During a search warrant executed at Leon's residence in November 11, 2011, multiple items of digital media were recovered, including a desktop computer, an iPhone and a RAID Array. Subsequent forensic analysis revealed the existence of multiple terabytes of data – including over 500,000 files- which

¹ Pthc is commonly understood to refer to pre-teen hard core. Yo is commonly understood to denote years-old.

Leon made available to group members, and countless others. The majority of these files depict minors, fully nude, engaging in sexually explicit conduct.

B. Robert Christopher Guillen

The ongoing USPIS investigation revealed the presence of an individual in the IRC channels utilizing the user name "PinkFreud", who was later identified as Defendant Guillen. A search warrant was executed at Guillen's residence on November 7, 2011. On that date, Guillen was interviewed by law enforcement and admitted that he had been a member of the IRC group for approximately seven to eight years. Guillen stated that he belonged to the "Tail_of_the _dragon" and "history_is_dead" chat rooms. He further admitted that he traded images and videos depicting child pornography with several members of the group, including John Rex Powell, Thomas Vaughn and John Doe N.

During a search of Guillen's residence, a computer tower containing a 1.5 terabyte hard drive and a 500 gigabyte boot drive were recovered from his bedroom. Forensic analysis of these digital items revealed over 10,000 images depicting minors engaging in sexually explicit conduct.

C. Don Printup

Law enforcement identified the existence of an individual within the group utilizing the user name "WaTerb0y", later identified as Defendant Printup. On or about April 14, 2008, "WaTerb0y" distributed to Donn Casper, through a DCC transfer, a video file named "10yrold_sucks_and gets _fucked-

_(preview).wmv.” This video file depicts group member John Doe N. engaging in oral sexual intercourse with a ten-year old minor boy. Furthermore, Printup discussed his sexual interest in minors in the channel, including the following exchange on July 13, 2011:

Ajax_Wax: you like females in the 18 age realm?

Waterb0y: 16/17/18 if they are hot yes

Ajax_Wax: damn me too, hang on

Waterb0y: I prefer 13/14/15, then I can also share with my buddy but that will do to.

A search warrant was executed at Printup's house on November 9, 2011, and he was interviewed by USPIS Inspectors on that date. Printup admitted that he was a member of the IRC group, and stated that he recognized user names belonging to other members of the group, including those used by Rick Leon and Thomas Vaughn. Printup admitted that the group of IRC users shared a sexual interest in boys under 18, particularly those between the ages of 14 and 16 years old. He further admitted to viewing images and videos depicting the sexual exploitation of minors, which he received from other group members, and to masturbating to these images for his own sexual gratification.

D. John Rex Powell

The members of the group included an individual using the screen name “the beav”, and other derivations of that name, who was later identified as Defendant Powell. Early in the investigation, John Doe N., Donn Casper and co-defendant Thomas Vaughn informed law

enforcement that Powell was a member of the group who they frequently traded child pornography with.

A review of status logs recovered from digital media seized during a search of John Doe N's residence revealed the following: On or about February 29, 2009, "the beav" received from IRC Group member John Doe N., via FTP transfer, a video entitled "BIBCAM vcam 2 boys naked again glasses boy.avi" which depicts two boys, between the ages of 10 to 13 years old, engaging in actual or simulated masturbation. Furthermore, a review of chat logs recovered from searches conducted on various group members' residences revealed that Powell often discussed his hands-on sexual abuse of minors with IRC members during private chats, including details of how he often engaged in masturbation and oral sexual intercourse with minor boys.

Part II: Specific Factual Basis for Defendants John Rex Powell and Rick Leon

Following Powell's arrest for the above-mentioned conduct, he was later interviewed by USPIS Inspectors. During this interview, Powell admitted that he abused a minor boy, over a three-year time period, beginning when the boy was seven years old. Powell stated that he and his friend, co-defendant Leon, traveled to Ocean City, New Jersey on two separate occasions in 2010 and 2011. During a visit to Ocean City, New Jersey, in July of 2011, Powell and Leon waited until John Doe #1 was asleep. Once the young boy was asleep, both Powell and Leon pulled down the minor's pajama bottoms and touched

the boy's penis with their hands. Powell and Leon created visual depictions of this sexually explicit conduct with Powell's digital camera.

Subsequent forensic analysis conducted on electronic digital media recovered from Leon's home, during the execution of a federal search warrant, revealed the presence of a video file. This video file, which was recorded by Powell, depicts Leon engaging in oral sexual intercourse with the minor boy described above. This video file was produced using materials that were shipped and transported in interstate and foreign commerce and was further distributed to other group members using the Internet.

Part III: Specific Factual Basis for Defendant John Rex Powell

As detailed fully above, search warrants were executed on the various members of the IRC group in October - December 2011. During subsequent forensic analysis of electronic media seized during these searches, USPIS Investigators were able to recover videos and still images depicting John Doe #2, a minor between the ages of five and six years old, engaged in sex acts with John Rex Powell. Images and videos of Powell engaged in sexual acts with John Doe #2 in Florida, California, France and Australia were recovered, some of which were trafficked by Powell, using the Internet, to the Southern District of Indiana members of the IRC group, as well as to other group members. These depictions were produced with the knowledge of the victim's parents, who participated in the conspiracy and conspired to cause other individuals to produce child pornography involving the victim. The victim's parents, Marc


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Newton and Peter Truong, have previously pled guilty and have been sentenced by this Court.

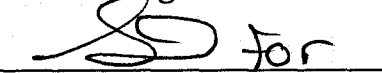
Respectfully Submitted,

JOSH J. MINKLER
Acting United States Attorney
Southern District of Indiana


10-24-14
DATE


Steven DeBrot
Senior Litigation Counsel

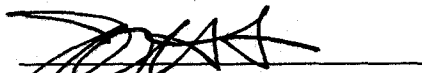
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Amy Larson
Trial Attorney, U.S. Dept of Justice, CEOS


10/24/14
DATE


Rick Leon
Defendant

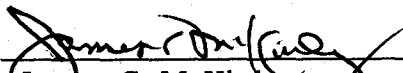
10/24/14
DATE


Jennifer H. Culotta
Attorney for Defendant


10-24-14
DATE


ROBERT CHRISTOPHER GUILLEN
Defendant


10/24/14
DATE


James C. McKinley
Attorney for Defendant

10/29-14
DATE


Don Printup
Defendant

10-24-14
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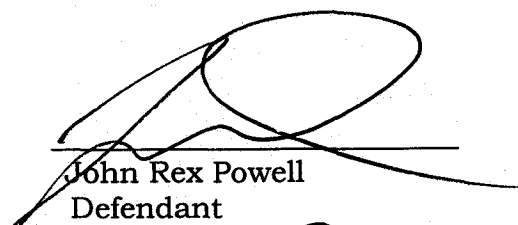

Dennis E. Zahn
Attorney for Defendant

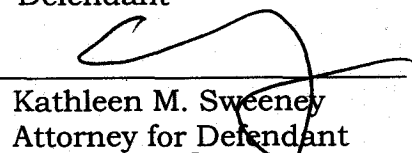
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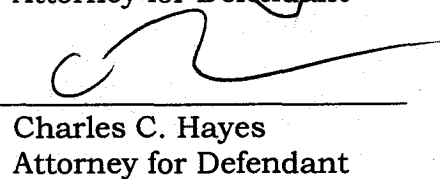
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John Rex Powell
Defendant


Kathleen M. Sweeney
Attorney for Defendant


Charles C. Hayes
Attorney for Defendant